

Emergency federal employee leave



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The American Rescue Act was signed into law by President Biden on March 11. The bill provides an important leave benefit for letter carriers affected by COVID-19 in a number of ways. Effective March 12, it establishes a new category of leave called emergency federal employee leave (EFEL).

Each full-time letter carrier may use up to 600 hours of EFEL for any of the qualifying reasons listed in the chart on the right. Part-time employees will be credited with an amount of leave proportionate to the hours they work. The bill includes a fund to reimburse the Postal Service

for the cost of EFEL. This leave will remain available through Sept. 30—or until the funding established in the Emergency Federal Employee Leave Fund for reimbursement is exhausted. The amount any employee can be paid for using EFEL is limited to \$2,800 per pay period. Time spent using EFEL does not count as creditable service toward an employee’s retirement benefits.

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Letter carriers seeking to use EFEL should submit a PS Form 3971 indicating for which of the eight qualifying reasons on the chart (at right) they must take leave, and employees must affirmatively state that they are unable to work because of the qualifying reason. Please note that this is subject to change based on expected guidance from the Department of Labor, which was not available at the time this issue of *The Postal Record* went to press. We expect this guidance to also include answers to some questions that may arise.

This leave makes sure that letter carriers who continue to perform an essential service during the COVID-19 pandemic do not suffer lost pay if required to miss work due to the continuing effects of COVID-19. Please look to the NALC website or contact the appropriate national business agent’s office for more information.

Emergency Federal Employee Leave	
Qualifying Reasons	Leave Eligibility
<p>An employee is entitled to take EFEL related to COVID-19 if the employee is unable to work because the employee:</p> <ol style="list-style-type: none"> 1. is subject to a federal, state or local quarantine or isolation order related to COVID-19. 2. has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. 3. is caring for an individual who is subject to such an order as in (1) or has been so advised as in (2). 4. is experiencing COVID-19 symptoms and seeking a medical diagnosis. 5. is caring for the employee’s son or daughter if the school or place of care of the son or daughter has been closed, requires or makes optional a virtual learning instruction model, requires or makes optional a hybrid of in-person and virtual learning instruction models, or if the child care provider of the son or daughter is unavailable, due to COVID-19 precautions. 6. is experiencing any other substantially similar condition. 7. is caring for a family member with a mental or physical disability, or who is 55 years of age or older and incapable of self-care, without regard to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID-19. 8. is obtaining immunization (vaccination) related to COVID-19 or is recovering from any injury, disability, illness or condition related to such immunization. 	<ul style="list-style-type: none"> • All career and non-career employees, regardless of tenure, are immediately eligible for EFEL. • Full-time employees can receive up to 600 hours of paid EFEL, capped at \$2,800 per pay period. • Part-time employees can receive up to the proportional equivalent of 600 hours, capped at a proportional equivalent of \$2,800 per pay period.
<p>Other Considerations</p> <ul style="list-style-type: none"> • EFEL does not count as creditable service toward an employee’s retirement benefits. • Employees cannot contribute to the Thrift Savings Plan (TSP) while on EFEL. 	